

**IN THE UNITED STATES DISTRICT COURT  
OF THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**JEROME D. JOHNSON**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 1:07cv539LG-JMR**

**DONALD A. CABANA, et al.**

**DEFENDANTS**

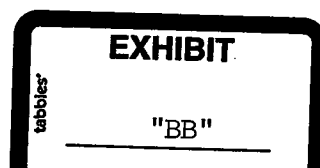
STATE OF MISSISSIPPI

COUNTY OF HARRISON

**AFFIDAVIT OF CORRECTIONS OFFICER ELAINE LEGE  
HARRISON COUNTY SHERIFF'S OFFICE**

PERSONALLY CAME AND APPEARED BEFORE ME the undersigned authority in and for the County and State aforesaid, the within named ELAINE LEGE who, after first being duly sworn by me on her oath, did depose and state the following:

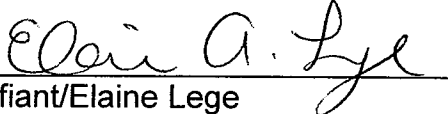
1. My name is Elaine Lege and I am over the age of twenty-one (21) years. I am a corrections officer with the Harrison County Sheriff's Office and held the position of sergeant at all times relevant to Plaintiff claim(s). I have personal knowledge of the matters and facts contained in this Affidavit and I am competent to testify to the matters stated herein.
2. At no time during my tenure as Sergeant at the HCADC was I given the task or responsibility of investigating criminal matters arising at the HCADC. It is the policy of the HCADC that criminal charges against inmates are investigated through the Criminal Investigation Division.
3. On September 1, 2006, during a cell shakedown for contraband in Plaintiff's



cell area, I was involved as a backup officer wherein certain items were confiscated and were believed to have been used to tamper with security devices. Said Rule Violation Report was then turned over to the Disciplinary Officer. See Rule Violation Report prepared by Officer Gregory regarding said incident attached hereto as **Exhibit "1"**.

4. I had no personal knowledge or information at the time relevant to Plaintiff's claim of any charge against Plaintiff for sexual assault.

I certify the above declaration is true and correct under penalty of perjury.

  
Affiant/Elaine Lege  
Harrison County, Mississippi

Sworn to and subscribed before me on this the 1st day of August, 2008.

  
Notary Public

My Commission Expires:

1/28/09

(SEAL)



Harrison County Adult Detention Center  
George Payne, Sheriff  
Rule Violation Report

NO 43315

287256		2) Inmate Name: Johnson Jerome		3) Inmate Housing Block/Section/Cell: C-D-231	
4) Date: 9-1-06	Time: 0945	5) Rule violation: <input checked="" type="checkbox"/> Major <input type="checkbox"/> Minor:	6) Evidence <input type="checkbox"/> Yes <input type="checkbox"/> No Location:		
Rule Violation (s): Category II H. Sale/Possession of Contraband.					
7) Inmate Classification: <input type="checkbox"/> Juvenile <input type="checkbox"/> Minimum Security <input checked="" type="checkbox"/> Medium Security <input type="checkbox"/> Maximum Security <input type="checkbox"/> Inmate Worker					
8) Inmate Placed In Prehearing Detention: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Block: D Section: D Cell: 230					
9) Notice Served by: Martin		Date: 9/1/06		Time: 7:00	
10) Reporting Officer: No. 289 Name PTO Gregory		Division: Corrections		Reviewing Supervisor: No. 158 Name SJ	
I request investigation and witness(es) <input type="checkbox"/> I waive the right to a hearing <input type="checkbox"/> Yes <input type="checkbox"/> No Inmates Initials: Unless waived, you are hereby notified that a hearing will be held within no less than 24 hours and no more than 7 working days in the appropriate hearing office. * Working days between date of violation and hearing _____ If more than seven (7) working days, explain: _____ * Documents read and discussed <input type="checkbox"/> RVR <input type="checkbox"/> Investigation <input type="checkbox"/> Witness(es) Statement <input type="checkbox"/> Other (specify) _____ Appeal may be filed with Director of Corrections or designee within 15 days after receipt of disciplinary decision. Offender Signature: _____ Date: _____					
<b>To be Completed by Disciplinary Officer</b>					
11) Plea Offered by:		Date:		Time:	
Plea Accepted <input type="checkbox"/>	Inmate Initial's:	Plea Refused <input type="checkbox"/>	Inmate Initial's:	Date:	Time:
<b>Disciplinary Hearing</b>					
12) Date:		Time:		Location:	
<b>Board Members</b>					
1.		2.		3.	
<b>13) Findings of Board</b>					
Narrative of Board Findings:          					
14) Guilty <input type="checkbox"/> 15) Dismissed <input type="checkbox"/> 16) Criminal Prosecution <input type="checkbox"/> 17) Other:					
<b>18) Type of Sanction (s) Imposed</b>					
Administrative Segregation <input type="checkbox"/>	Start Date:	Time:	Ending Date:	Time:	
Restricted Canteen <input type="checkbox"/>	Start Date:	Time:	Ending Date:	Time:	
Restricted Visitation <input type="checkbox"/>	Start Date:	Time:	Ending Date:	Time:	
Verbal Warning <input type="checkbox"/>			Written Warning <input type="checkbox"/>		
Disciplinary Officer: No. Name:		Disposition Date:		Page: of	

White - Inmate Copy

Canary

EXHIBIT

"1"

Discipline File

Gold - Captain of Security